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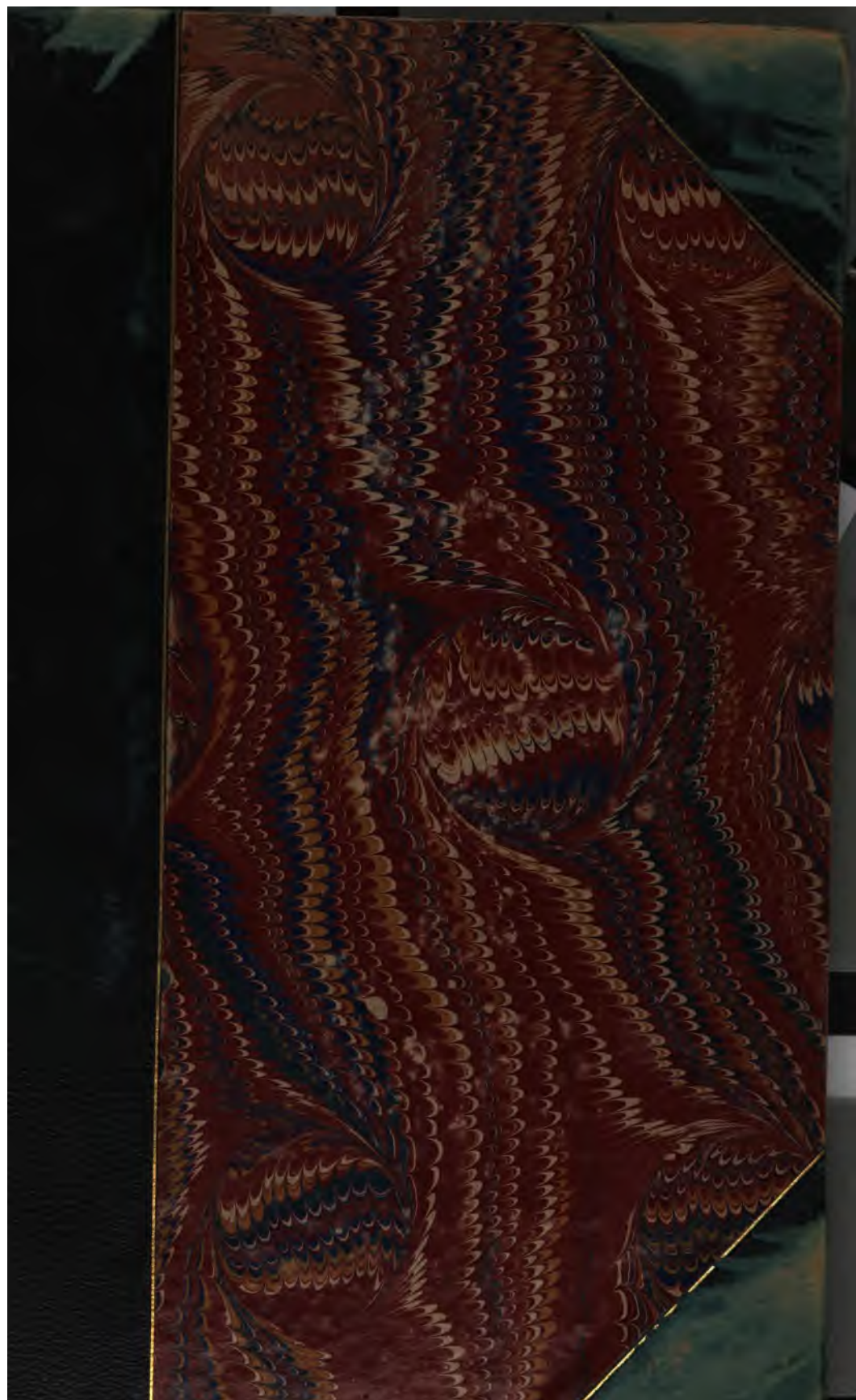
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J. Elliot Condict.

No.



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LETTERS

TO JAMES MONROE,

PRESIDENT OF THE UNITED STATES,

FROM

WILLIAM KING,

LATE COLONEL OF THE UNITED STATES ARMY.

1820.

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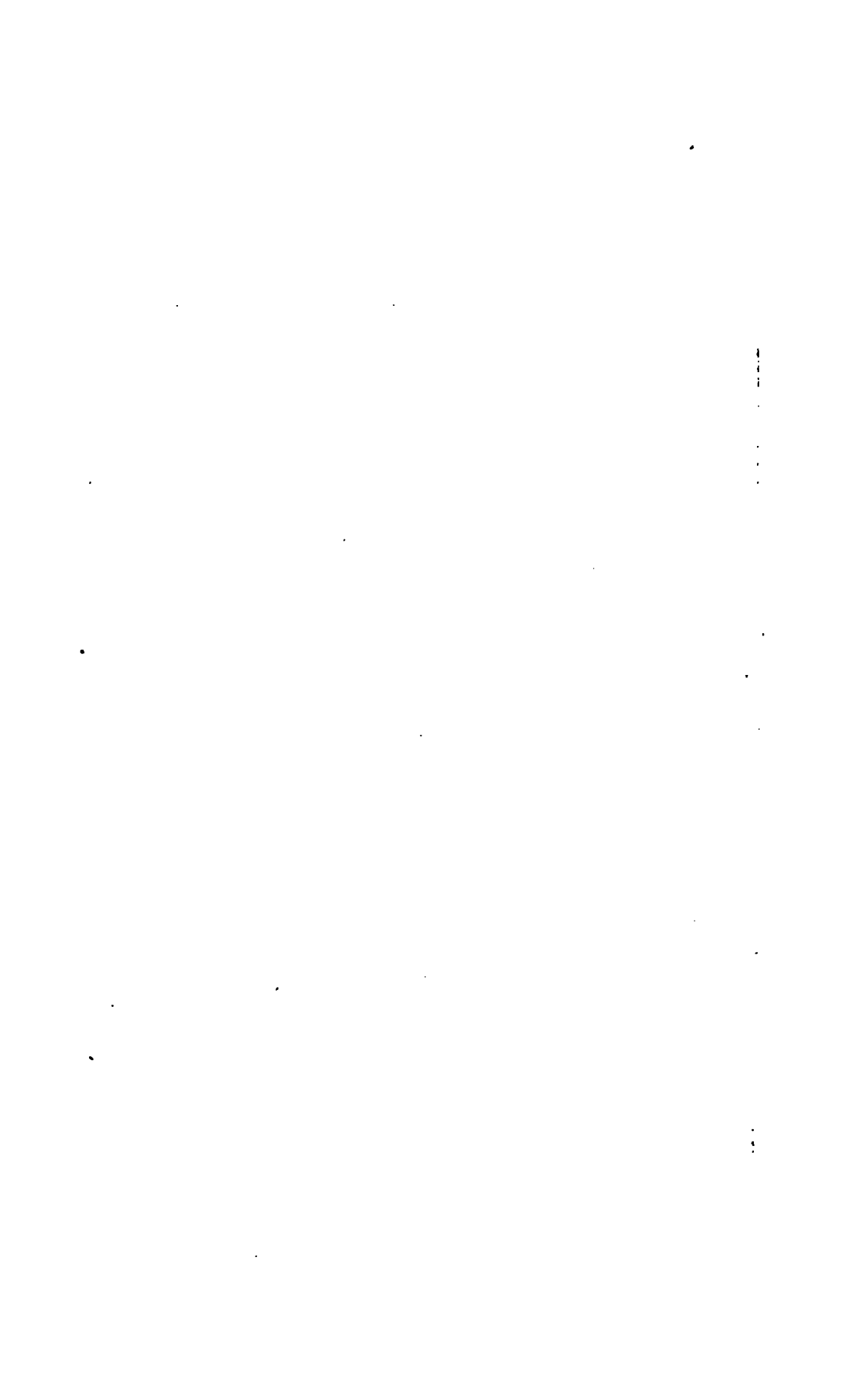
PEOPLE OF THE UNITED STATES.

PERMIT me, through this medium, to offer to the American community, the following vindication of my character and conduct, against the undeserved odium cast upon them by the sentence of a General Court Martial, suspending me from all command in the army of the United States, for the period of five years. Poisoned as the public mind has been towards me, by the machinations of one or two unprincipled scoundrels, I cannot flatter myself that my vindication will have that general weight to which it is justly entitled; but with those who are personally acquainted with the character that I have sustained, during a period of twelve years of public service, I confidently believe no doubts will remain of the purity and propriety of my conduct, or the baseness of the majority of the tribunal before which I was tried.

After having for 18 months seen my name held up to the public as an object of execration, because I dared to do what I conscientiously believed to be my duty. I owe no apology for appearing before them on the present occasion; more especially when it is recollected that I have forborne to trespass upon their time until all hope of obtaining justice from the constituted authorities had ceased. Neither will I offer an apology for the homely garb in which my justification appears—writing is not my trade—and nothing but the most dire necessity could have induced me to undertake a task for which neither education, habits, nor pursuits have fitted me. My public life is ended—and in appealing to the highest tribunal of the nation—public opinion—I have no other object than to redeem my name from the unmerited obloquy that has been heaped upon it.

WILLIAM KING.

Montpelier, (Vt) Aug. 1, 1820.



TO JAMES MONROE, ESQ.
PRESIDENT OF THE UNITED STATES,

Montpelier, (A.) June 1, 1820.

SIR,

AT a time when matters of primary importance to the community at large claimed your exclusive consideration, I forbore to press upon your mind a subject, which, although deemed of sufficient magnitude to attract the attention of the Representatives of the nation, affects only an individual. But now that the national legislature has closed its session, justice towards my own character, forbids that I should longer delay calling your attention to the proceedings of a General Court Martial, held at this post in the month of December last, by which I was sentenced to be suspended from my command in the Army of the United States for the period of five years. In approaching a subject that blasted at a breath, the fruits of eleven years of professional devotion, and a character earned by toil, privation and sacrifice, I may well fear that my feelings will lead me into a style of expression incompatible with the high dignity of the personage I am addressing. But I undertake the task, with a determination to perform the duty, in the manner least offensive to others—that will pourtray the injustice that has been done to me. Yet, knowing, as I well know, that the sentence which has been passed upon me is not founded on the magnitude of my offences, but is the offspring of inveterate prejudice and base intrigue, I am justly entitled to your indulgence, and I claim from your magnanimity due allowance for any intemperance of expression into which I may unavoidably be led. In re-

specification, the Court have been pleased to say—“*The Court find the prisoner guilty of unofficer-like conduct, but cannot in their conscience say that he was actuated by the ungentlemanly motives ascribed to him in the 4th specification, and believe he may have acted under the influence of mistake or misapprehension; they however cannot, withhold an expression of their highest disapprobation of his conduct in the transaction—they acquit him of so much of the charge as relates to ungentlemanly conduct.*”

On the honor of a soldier, and the veracity of a gentleman (qualities in which I have ever been deemed second to no man, and which I would not violate to remove the weight of obloquy that rests upon my character) the following history of the transaction on which this accusation is founded, is the truth, the whole truth, and nothing but the truth; and for the corroboration of which, in a great measure, I beg leave to refer you to the proceedings of the General Court Martial held upon Mr. Hogan in September, 1819.

In the month of January, 1819, finding I should have to use here part of a considerable sum of money that I then had in Maryland, I concluded to offer to Messrs. Neilson and Randolphe, sutlers of the 4th Infantry, who traded principally to Baltimore, a bill upon my agent for *one thousand dollars*. Apprehensive they might not be able to raise all the money, and anxious to be upon a certainty before I left this post for Pensacola, I addressed to Mr. Hogan my note of the 14th January, requesting to know if he would assist Neilson to raise the money should it be necessary—he replied he would assist him to the amount of “*a few hundred dollars.*” The next morning I sat out for Pensacola, but meeting Mr. Neilson a few miles from this post, I turned back and he breakfasted with me. In the course of conversation, I enquired of him if he would buy a bill of exchange upon Maryland for \$1000, and informed him that Mr. Hogan would assist him with a loan until pay day, should he be unable to raise all the money. He replied he did not want money in Maryland: that all the cash he could raise he could employ to more advantage in buying up depreciated bank paper from the Spaniards at Pensacola—that his object in coming up was to obtain money from Mr. Hogan, and that he should go on to St. Stephens to get Orleans paper or specie. Here the subject dropped, and I heard no more of it until about the 1st of February, when Mr. Neilson called on me at Pensacola and said he would be glad to get a bill upon Maryland for \$1000, as his partner, Mr. Randolphe, then in Baltimore, had by letter requested him to send on all the money he

could raise. I accordingly gave him a bill of exchange for \$1000, and he called a day or two afterwards and paid me the money: but not one word was said at either interview, of Mr. Hogan having assisted him to buy the bill, nor had I the slightest suspicion that that person had any agency in the transaction.

About the time the troops of the United States evacuated the province of West Florida, a difficulty occurred with Mr. Hogan in relation to the payment of the 4th regiment, and I determined upon arresting him. In the course of a correspondence that passed between us at this period, he mentioned, to my utter astonishment, the fact of his having loaned Neilson \$1000 to buy my bill on Maryland; and stated that he could not proceed to make the payment until Neilson refunded him the money. Believing this to be a mere subterfuge, I called upon Mr. Neilson and enquired of him how much money Mr. Hogan had loaned him on the 15th of January; he replied *fifteen hundred dollars*. I asked him how much he had drawn from the St. Stephens Bank for Mr. Hogan; he answered \$6000, and added, he had been authorised to use one half of it, but that he could only procure \$1500 of the kind of money he wanted. I requested to know what conversation had passed in relation to the bill I had offered to sell him on the 15th of January—he stated that when Mr. Hogan gave him the \$1500, he observed, he might now buy my bill on Maryland, to which he (Neilson) answered, he did not want my bill. After this conversation with Mr. Neilson, I was convinced that Mr. Hogan's object was to torture my note of the 14th of January, into such a shape as to alarm me from the measure of his arrest, lest I might myself become implicated; and believing, as I did, that the *fifteen hundred dollars* had been loaned to Mr. Neilson for his own purposes, and not to buy my bill, a supposition contradicted by the amount loaned, (*only a few hundred had been promised towards the purchase of a bill for a thousand*)—and feeling no disposition to let one of my subalterns believe for a moment, that I was to be intimidated from the performance of my duty by any apprehension of the personal consequences which might result therefrom, I determined to make the transaction a subject of public investigation, and accordingly embodied it in the following specification against Mr. Hogan, viz: "*In loaning in the month of January, 1819, to the firm of Neilson & Randolphe, sutlers, 4th Infantry, the sum of fifteen hundred dollars, more or less, out of the funds placed in his hands for the payment of the troops*"

in the service of the U. S. thereby putting it out of his power to pay off the 4th regiment when ordered so to do."

The only evidence adduced in support of the charge under consideration, was that of my accuser, to rebut which (Mr. Neilson, the only person having any knowledge of the transaction, having failed to attend the summons of the Court, being my avowed and rancorous enemy,) I could only make the statement of facts here rendered to you. The Court, prejudiced as the majority were, could not resist the impression of a round unvarnished tale of truth, and they acquitted me of *ungentlemanly conduct*, the only part of the accusation that was in the least applicable; for had the circumstances been as the prosecution wished the world to believe, and two thirds of the \$1500 actually loaned for my accommodation, still in preferring the charge I should only have done my duty as an *Officer*; but at the same time I should have violated the honor of a gentleman, and well deserved to forfeit my commission. Had I believed that Mr. Hogan loaned any part of the money for my accommodation, I certainly never would have preferred the charge in question against him; but I had every reason to believe his assertion to that effect *unfounded*, and made in order to annul the consequences to which his unsoldierly conduct, in positively disobeying my orders, and setting my authority at defiance, had subjected him. Having acquitted me of *ungentlemanly conduct*, I am at a loss to conceive on what grounds the Court have undertaken to say, "*my conduct in this transaction merited their highest disapprobation*," unless it may be from the circumstance of my having asked a loan from a monied agent of the Government subject to my controul. In ordinary cases, I am free to admit, that this may be improper; but the rule certainly cannot apply to the case in question; for Mr. Hogan, besides being extensively a *planter on the Alabama*, is well known to be the principal of the most extensive commercial establishment in the City of Mobile; and at the very time he was asked if he would assist Mr. Neilson to raise the money to buy my bill, was so evidently in funds, as to become a purchaser of stock in the Mobile Bank to a great amount. On this occasion too, he had voluntarily offered to loan me money, and pressed its acceptance, to pay in on any amount of stock in the same bank for which I would agree to subscribe: and it was on this very offer that my note of the 14th of January was predicated.

Under the 1st specification of the 3d charge, I was found *Gilty of ordering Lieut. A. M. Houston, A. D. Q. M. General to pay*

to Sergeant Childress the sum of \$30 for the apprehension of Neal Cameron, a deserter from the 4th Infantry, when the said deserter had been put to death by the said Sergeant, in the woods, of which circumstance the said Col. King was well apprised."

In the name of heaven wherein consists the *guilt* of this transaction? Under the regulations of the Department of War, thirty dollars is the reward paid for the apprehension and delivery of a deserter. The party sent in pursuit of Cameron, were ordered to put him to death—they fulfilled the order and were as justly entitled to the reward as if they had, under ordinary circumstances, delivered him. The propriety of the order has nothing to do with the payment of the reward; and to have withheld the \$30, would have been to punish the Sergeant for the faithful performance of his duty.

Under the 2nd specification of the 3rd charge, I was found *guilty* of "*Requesting Lt. A. M. Houston, A. D. Q. M. Gen. to pay to Messrs. Neilson & Randolphe the sum of five hundred dollar on my private account; which was paid by said Houston out of the public monies placed in his hands for public purposes.*"

This accusation is founded on a transaction, in itself, so far as I had any concern, perfectly harmless, and having no connection whatever with my official station. About to leave Pensacola for a few days, and wishing to discharge a claim which Messrs. Neilson & Randolphe had against me, I left for Mr. Houston, then absent, a note containing the following request—"Dear Sir, *Do me the favor to pay to Neilson & Randolphe, for me, the sum of five hundred dollars, and I will refund it to you when I return.*

Yrs. with esteem,

To Mr. HOUSTON, 7th In.

(Signed) W. KING."

If Mr. Houston, in his disposition to accommodate me, thought proper to use the public monies in his possession, I surely am not responsible for it—I had good reason to believe it would be in his power, on the arrival of the Paymaster, then hourly expected, to accommodate me in his individual capacity—if not, he had only to say so. Base indeed must be the man, who, acting in a judicial capacity and under the solemn obligation of an oath, would suffer his personal prejudices to torture my agency in this transaction into a military crime.

Under the 3rd specification of the 3rd charge, I was found *guilty* of "*Requesting Lt. A. M. Houston, A. D. Q. M. Gen. to pay to Messrs. Neilson & Randolphe the sum of one thousand dollars in*

specie, out of some public monies expected from New Orleans by return of Mr. Wilson, which \$1000 was due by Col. King to the said firm of Neilson & Randolphe on his own private account, and had been advanced by them in Georgia and other bills, to enable the said Col. King to commence his speculations in private property."

In the month of November, 1813, under an impression that the Floridas had been ceded to the United States, I determined to make a purchase of some property at Pensacola. The resolve having been suddenly formed, I was without funds on hand, and accepted of Mr. Neilson a loan of what money I wanted. After having made my purchases, I was in the very act of setting out for Montpellier, my place of residence, to raise funds, when Mr. Neilson, who had been my agent in the purchase of a house and lot, for which he had contracted to pay \$1000 in specie, called on me and stated, that he could not raise the necessary amount in specie, and asked what was to be done? After a moment's reflection, I told him that if the person to whom the money was due, would receive the bills for a few days, I would request the Q. M. General, Mr. Houston, to let him have \$1000 in specie out of some public funds which Lt. Wilson was expected to bring from New Orleans, in exchange for the bills. He said this arrangement he presumed would answer, and I sent for Lt. Houston, who agreed to accommodate me with the exchange. This conversation took place after I had mounted my horse, and in the hurry of departure; I may not have been so explicit as was desirable; but the understanding which Mr. Neilson, Mr. Houston and myself had of the request was certainly as I have here stated. Mr. Wilson did not bring the specie from New Orleans, of course, it was never paid over to Mr. Neilson, who made some other arrangement with the seller of the property, which was satisfactory, and here I thought the business had ended forever.

The quarter master in his examination before the court stated, *that he understood he was to receive from Mr. Neilson or myself current bills in exchange for the specie, on or about the time the specie was to have been delivered; and that I was to derive no farther advantages from the quarter master's department than the mere accommodation of Exchange.* Mr. Randolph the other witness adduced in support of this charge, admitted that the \$1000 to have been received in specie from Mr. Houston was to have been paid over to the seller of the property, but insisted that the \$1000 in

bills was to have remained with Mr. Neilson. Mr. Randolph avowed himself my enemy, and acknowledged that his partner had managed the business with and for me.

Under no circumstances whatever, Sir, could I have been base enough to appropriate the public funds to my private purposes: but in this case had I felt the disposition, I should have done so without admitting any second person to the knowledge of the fact. The bills which Mr. Wilson carried to New Orleans were made payable to me, and had I wanted the use of the money, I should have taken it into my own hands, supplying the wants of the Q. Master's Department from time to time as they occurred. But in truth, no necessity existed for my using the public monies; for besides having my crop of cotton and corn on hand, worth at least \$4000, I had been assured I could obtain from the Bank at St. Stephens, any amount of money that I might want, and did actually receive at that institution \$3000, in three days after the request to Mr. Houston was made, and the amount would have been double had I wished it. To conclude with this accusation—I could at the time, with a week's notice, have raised ten thousand dollars. Is it therefore rational to suppose I would have jeopardized my character and my commission for the loan of the paltry sum of \$1000? Yet if Mr. Neilson, although my declared and inveterate enemy will swear that the \$1000 in bills were not to have been paid to Lt. Houston in exchange for the specie, at the time the latter was delivered, I will yield the point.

Under the 4th specification of the 3d charge the court have found *"that the prisoner did bring out to Mobile in the ship General Hand his family, about thirty negroes, some provisions (part of which he sold,) and some household furniture, all at the expence of the United States, and that he did on the part of the United States give to the owners of the ship General Hand the additional sum of 1175 dollars to convey the said detachment, mentioned in the specification to its place of destination—Point Petre, Georgia."*

The facts found under this specification are strictly true—but the court having maliciously given to the transaction, a colouring the most base and unwarrantable, suffer me to call your particular attention to the following detailed history of the circumstances on which the charge is predicated; the truth of which you will find established by the evidence recorded at my trial, and the deposition of Mr. Hugh Boyle of Baltimore, herewith, which, in consequence of that gentleman's absence from the U. S. was obtained too late to be read in evidence at my trial. Should the fact of my having

ing on board, there might have been some impropriety in the accommodation I received ; but neither was the case ; and moreover you will find on reference to my letter of the — October 1817 to the Department, an *offer to pay from my private purse a share of the charter money if they would limit the amount to be paid on account of the U. States.* There yet remains another feature to the finding of the court under this specification ; and however trivial and unimportant, the vindictive malice of the majority have tortured it into a reflection upon my character. They find that “I brought with me some provisions, part of which I sold.” By reference to the evidence, you will find the whole provisions I had was for my own use, and the amount sold was *six barrels of fish and pork, surplus sea-stores, for which I had no use, and one barrel of flour, which my family let Mr. Hogans’ family have, as a matter of accommodation, when I was 300 miles distant on the Seminole campaign.*

Under the 1st specification of the 4th charge, I was found guilty of *failing and refusing (although thereunto requested) to investigate the cause and manner of the death of Charles Mason a private of the 4th infantry, who was drowned in the harbour of Pensacola while undergoing a ducking, which was carried to such excess, as to deprive him of life, and was inflicted by order of Lieut. Lear, and executed by Sergeant Stark, without the form or authority of a court martial, and entirely on his own responsibility ; and although Major Deakins, then commanding in Pensacola immediately arrested the said Lieutenant and Sergeant until the return of the said Col. King from Montpelleir—yet nevertheless the said Col. King totally failing, refusing and neglecting to do his duty, had them both released without any trial or legal investigation.*

That the death of Mason was the result of accident, and one of those unfortunate occurrences that could not be foreseen, and for which there was no remedy, was fully established by the evidence. And being satisfied that no criminality attached to either the Lieutenant or Sergeant, it would have been highly censurable in me to have put the service to the expence and inconvenience of a general court martial to investigate charges that I knew I could not support. Under this charge, as in many other instances, the court found me guilty of matters of accusation, not only unsupported by evidence, but utterly destitute of all foundation in truth, viz. *that I did refuse although thereunto requested to cause the investigation ; and again that totally refusing to do my duty I had them both released from arrest.* I never did refuse to cause the investigation, because

it never was *requested*, and by reference to the evidence of Major Deakins, who will find that I since informed him that I had *no objection* to their being released, and that it was *him* who released them. I mention those facts to shew how over anxious the court must have been to convict me, and not because my conduct would have been criminal, admitting the charge to its full extent. That the superior is in every instance the judge of the propriety of ordering an investigation into the conduct of the inferior you must admit; else on what principle did the secretary at war, on a recent occasion, refuse to grant the arrest of a general officer on the specific charges of a colonel of the army; or how, sir, will you justify your own refusal to cause an investigation into the conduct of another general officer on the accusation of the representative of a foreign power.

Under the 2d specification of the 4th charge it was found by the Court, "*That the said Col. King, being then commanding officer of the Province of West Florida, did fail, refuse and neglect to cause an immediate enquiry into the circumstances attending the death of Neil Cameron, a deserter from the 4th In. who was in the most inhuman and cruel manner put to death by sergt. Childers, altho' said Cameron made no resistance, but begged to be taken back and tried for his offence by a Gen. Court Martial.*"

Here too without a shadow of evidence the court have found me guilty of having "refused" to do my duty. No application for investigation was ever made, but had there been such application, it would have been disregarded; for the Sergeant having been peremptorily ordered to put the deserter to death, had only done his duty, (although I confess had it been done in a less cold blooded manner I should have been better satisfied,) and the order under which he acted was such as I would have myself given had I been present.

Under the 3d specification of the 4th charge, the court here found "*That the said Col. King did fail, refuse and neglect to see justice extended to Benjamin Tackwell, a soldier who had honestly served out his term of enlistment, to within a few days, and in consideration thereof was furloughed and discharged from service, and after he had left Pensacola was pursued and brought back by a command ordered by Lt. Lear for that purpose, and carried to his, Lear's room, stripped and compelled to receive fifty lashes on his bare back; without the form or authority of a Court Martial—which arbitrary, cruel and ignominious punishment was inflicted on said Tackwell after he had, in effect, been discharged, and without any good or sufficient cause, and he was then made to serve out the full period of his enlistment.*"

In order to have made this charge had any bearing on me, it should have been proved that the treatment which Tackwell received at the hands of Lieutenant Lear, had been reported to me and justice demanded. By reference to the record of the court you will find, that the only evidence that in the slightest degree connects me with the charge, is that of Lieutenant Lear, who says "*Colonel King was knowing to Tackwell's having been flogged, and I heard him say he deserved it ;*" and yet on this vague evidence, this unprincipled court have found me guilty of the charge in all its various ramifications, although when, where, by whose order or to what extent the man was flogged, was never enquired. The only complaint the soldier made to me was that he had been deprived of his leave of absence and put to duty ; I sent for Lieutenant Lear and enquired why this had been done—he replied that the fellow had cut up an uniform coat, stamped it under his feet, damn'd the service and otherwise behaved in an outrageous manner, and added that he meant to punish him; to which I observed, that the man richly merited a flogging.

Under the 4th and 5th specification of the 4th charge, the court have found, "*That the said Col. King did encourage and enforce contrary to the laws of the U. S. and the rules and articles of war, the infliction of corporeal punishment by stripes or lashes, by promulgating an order to this effect, 'that any man found out of his quarters between tattoo and reveille, should receive fifty lashes and be confined in the black hole for the space of one month'*—and did permit, carry or cause to be carried into effect so much of the said order as related to the infliction of fifty lashes on the person of John McClary, a soldier of the 4th Regiment."

The promulgation of such an order as that in question, and the infliction of the fifty lashes under it, would have been justifiable and is common to the most ordinary cases of service—how then could a Court Martial of *honourable men* attach censure to it under the peculiar circumstances of necessity by which it was elicited. A few days after the arrival at Pensacola of a detachment of two hundred recruits, drawn from the brothels and tippling shops of our seaport towns, the Magistrates of the City complained to me, then charged with the civil and military government of the Province of West Florida, that the men had commenced a system of marauding and plundering that threatened destruction to the inhabitants, and prayed me to adopt the necessary measures to restrain them. By the terms of capitulation, the authorities of the U. S.

were bound to afford protection in person and property to the inhabitants of Florida, and had I set with my arms folded and permitted a licentious soldiery to plunder at will those people, who have been for years alternately the prey of Indian, English and Spanish rapacity, I should have merited the heaviest displeasure of Government. But, Sir, I knew my duty better, and immediately issued the order that is made the subject of charge. Fortunately for me, this order and the one example under it, had the desired effect. I say fortunately—because under the circumstances of my then situation, so imperative did I feel the obligations of professional duty and personal honor, by which I was bound to protect the people of Pensacola, (obligations scarce less sacred than those by which I would have been led to defend the flag of my country had it been assailed)—that I would have resorted to such measures as would have thrown the case of Niel Cameron into shade had I found them necessary. In truth, Sir, before I would have suffered such acts of licentiousness and outrage to have been perpetrated on the inhabitants of Pensacola, by the troops under my command, as occurred under the administration of the British Col. Nicols in 1814—and presently it would have come to this—I *would have made examples at the flag*—and from the magnanimity of my countrymen I should have expected applause, not censure.

Under the 6th specification of the 4th charge, the Court find, that I *“did approve the sentence of a Regimental Court Martial, awarding to Corporal Roberts twenty-five lashes, and private Whitley forty-five lashes; and ordered the same carried into effect, except in the case of Corporal Roberts, who was pardoned.”* Under the 7th specification the Court find, that I *“did sanction the proceedings of a General Court Martial in the case of Newly, a private of the 4th In. who was found guilty of desertion and sentenced to have his head shaved—his left ear to be cut from his head—to receive fifty lashes, and then be drummed out of the service, and did approve of the said sentence; but was pleased to remit all the punishment except fifty lashes.”* Under the 8th specification the Court find, that I *“did approve of the proceedings of a General Court Martial in the case of Henry Benner, found guilty of desertion, and sentenced to receive fifty lashes and be drummed out of the service—which sentence was approved, but, except the fifty lashes, remitted.”* Under the 9th specification of the same charge, the Court find, that I *“did not take any steps to prevent the infliction of corporeal punishment in the 4th Regt. but on the contrary, did ap-*

prove in orders, of the sentences of Regimental Courts Martial inflicting corporeal punishment by stripes or lashes."

If, Sir, in inflicting corporeal punishment I violated any law, I did it in common with the whole army : for there is not in service an officer of any rank who has not been necessarily compelled to resort to corporeal punishment, since 1812, in order to restrain licentiousness, insubordination, and mutiny ; and until the Congress of the U. S. in their profound wisdom, shall devise some system for improving the morals of that class of the community from which the ranks of the army are filled, it is folly in the extreme, to think of enforcing discipline without the fear of corporeal punishment. At this moment, if I am correctly informed, your regiments are in a state bordering on mutiny; and unless the law which I am found guilty of having violated, be repealed or more liberally construed, your army, sooner or later, will become a burthen to the government, and a curse to every section of the country in which it may be quartered. By what rule that description of punishment which is expressly authorized in the navy (and to which in a great measure owes its discipline and success) should be prohibited to the army, I am at a loss to conceive ; nor can any good reason be assigned why the infliction of stripes or lashes should be exploded from the army or navy, whilst it continues to be practiced under the authority of the Civil tribunals of almost every state in the Union. I am not even accused of having practised it myself, or tolerated in others the infliction of corporeal punishment to an extent unusual to the service ; and, Sir, there was not, I assert it without the fear of contradiction, an officer on my court, who has not indulged in the infliction of corporeal punishment to an extent far beyond what has been laid to my charge. This fact is established by the refusal of the Court to permit me to ask *the President* and other members, what had been the custom at the posts at which they had served since 1815, in relation to the infliction of stripes or lashes, *lest they should criminate themselves.*

Under the 15th specification of the fourth charge, I am found guilty of "*having in an unofficerlike manner, and in contravention of the good of the service, frequently given to the men of the 4th Regt. furloughs for several months immediately preceding the expiration of their term of service, and at the same time gave them their discharges so dated as to take effect at the termination of the time limited in their accompanying furloughs, which was in effect only giving them their discharges so many months before their term of service had expired."*

By reference to the evidence you will find, that the only instance in which it is proven that I did furlough a man and give him his discharge so dated as to take effect at the expiration of his term of enlistment, was in the case of sergeant Whitten for the period of three months; and by the 11th and 12th Articles of the rules and articles of war, you will find, that the same authority is conferred on the Colonel of a regiment, and the commanding officer of a department, to grant furloughs and give discharges, as is enjoyed by the President of the U. S. of course, I owe no accountability for exercising a discretion conferred by law. Although it is not proven, it is admitted, that in several other instances where Major Deakins, as he was fully authorized by law to do, had granted furloughs of from five to thirty days anterior to the expiration of the term of enlistment—the discharge, so dated, as to take effect at the termination of the period of service, was signed by me at the Major's solicitation; in order to save the individual the trouble and expence of returning for this document. Without the discharge, the furlough so far from being a favor, would have proven a burthen, and by giving it with the furlough, the public service could not possibly sustain any injury, whilst a meritorious and faithful soldier after a service of five years, received a few days indulgence.

I now come, Sir, to the 11th specification of the 4th charge, to which, I presume, I owe the reverse that has overwhelmed me.—Under this specification the Court have found, “*That the said Col. King, contrary to his duty as an officer, and in open violation of the Laws of the United States and the Rules and Articles of war, on or about the 1st of Aug. 1818, did issue a verbal order to Lieut. Sands, acting Adj. 4th In. then stationed at Pensacola, to select two confidential non-commissioned officers and a suitable command for each, and send them in pursuit of some men of the 4th In. who were reported as having deserted, and if taken within the limits of the Province of West Florida, instantly to have them put to death; but to be careful not to infringe upon the civil laws of the Alabama Territory, for if taken above the line, they must be brought back; and that the said Col. King, in an unofficerlike manner, and in total disregard of the Laws of the U. S. and the Rules and Articles of war, did continue and cause to be continued in force, the aforesaid verbal order, issued as aforesaid, both at the Barancas and Pensacola, during the whole period that those posts were occupied by the American troops; and until a private and deserter of the name of Neil Cameron, was overtaken by Sgt. Chil-*

dres and his command, on or about the 16th of Sept. 1818, within 17 or 18 miles of Pensacola, and there shot, although the said Cameron made no resistance, but on the contrary, begged to be taken back and put upon his trial, and punished as a Court Martial might direct."

The finding of the Court under this specification holds me accountable for the fate of Neil Cameron, although it was established by the evidence, that the order to pursue and shoot him was given by Major Deakins, when I was at this post, seventy-five miles distant—and for which the Major has ever considered himself and not me responsible. 'Tis true I stated to the Court, "*that having set Major Deakins the example in giving the order, having formally approved of his conduct, and as I should myself have given the order had I been present, I stood prepared to answer for it.*" How far I could, in a legal point of view, be considered accountable from the mere circumstance of my having, before the Court, assumed the responsibility, will hereafter be decided by a competent tribunal. Waving the question for the present, and fully admitting that I did in several instances give orders to put deserters to death on the spot, if overtaken in the Province of West Florida, I will proceed to shew the motives that governed my conduct and the circumstances under which I acted.

At the close of the Seminole and Florida Campaigns, and with all those ardent and high toned feelings that war engenders glowing upon me, I had been left, with a handful of men to defend a Province just wrested by force of arms from a foreign power. I was to all intents and purposes in an enemy's country, for the territory of Spain had been violated—her flag trampled upon—her strong hold wrested from her at the point of the bayonet, and their garrison sent as prisoners of war to the Havanna. I was within striking distance of a powerful dependency of the Spanish Crown, and bound, upon every military principle, to hold myself in the same attitude as if a formal declaration of war had taken place. The Captain General of the Island of Cuba, with ample means to recover from the force under my command, the Province I was left to defend, lay within three days sail of me, and had he been a soldier, he would have washed out in the blood of my garrison the reflection his master had cast upon his character for the loss of Fernandino. In this state of things, and when the whole effective force within the Province of West Florida fell short of *two hundred and fifty men*, desertion prevailed to an extent rarely before witnessed

in the American army. Col. Brooke commanding at the Barrancas reported on the 22d July "that the desertion from Peter's company alone is alarming; no less than eight men have gone off in twenty days, and we have ten in confinement who have been apprehended, and whom I wish Court Martialed, as a severe example is necessary to deter others." On the 27th of the same month the same officer reports, "I have dispatched Lt. Minton on command to ensure the deserters being taken, because I believe that the best possible means of putting a stop to it; and when the soldiers become certain that every effort will be made to overtake all deserters, the inducement to leave the service will be destroyed, under an idea of the impossibility of escape. I think it highly problematical whether a command under a non-commissioned Officer would return to the post, and I am convinced Peters' men will desert every good opportunity." Captain Wilson, then the adjutant of the regiment, stated before the Court, "that the men deserted in twos, threes and fours, with their arms in their hands; and, that at one period eight desertions took place from Pensacola alone in the space of three days." The number of men necessarily kept out in pursuit of deserters was so great, as sensibly to impair our strength and affect the ordinary duties of the garrison.

Under those circumstances, and at a moment when it had been officially communicated to Col. Brooke, the Officer next in command, by several respectable inhabitants of Florida, "that a plot was actually in existence, formed by the Spanish military and others, for the purpose of rising upon my garrison, and attempting to recover the Town of Pensacola and the Fort of St. Carlos De Barrancas for Spain, so soon as the American force should be sufficiently reduced by desertion to warrant the effort; and when it was confidently believed, that certain persons were encouraging the men to desert by every means in their power, it became, I conceived, my imperious duty to put a stop to the practice of desertion, by the application of such means as were within my reach, without being fastidiously nice as to their legality. I therefore gave orders to the parties sent in pursuit, to shoot down the deserters on the spot if overtaken within the Province of West Florida, trusting that a few examples would have the desired effect. This order I considered justifiable from the necessity of the case, and I went upon the broad principle, that the soldier who deserts the standard of his country, when on foreign service, having forfeited his life to the law, it little matters, in the eyes of justice, whe-

ther that life be rendered up at the foot of the gallows or on the bayonets of his pursuers.

The first instance in which I gave orders to shoot deserters, was in the case of a sergeant, corporal and private of Peters' artillery, (the same alluded to in Col. Brooke's communication of the 27th July) who went off together. The pursuit came up with them some distance short of the line, but finding them asleep they were secured and brought back unharmed. I gave similar orders on two or three occasions during the month of August, and with the like result. On the 1st September I set out for this post, but left no instructions with Major Deakins, on whom the command of the garrison of Pensacola devolved, in relation to the pursuit of deserters. On the 16th September, returning to Pensacola, I came up to where the body of Neil Cameron had been just interred, and any doubt that had before lingered on my mind as to the propriety of my order, to put deserters to death, was removed, by finding that an officer of Major Deakin's merit, intelligence and experience had assumed the same responsibility. Trusting that the fate of Cameron would deter others from deserting, Major Deakins was instructed not to give similar orders again, until we saw the effect of one example. In the mean time your determination to restore the Floridas to Spain was communicated to me, and the necessity for the order to shoot deserters no longer existing, it was never afterwards renewed.

Sensible of the awful responsibility to my God, my conscience and my country, that I assumed in giving an order which involved the life of a human being, I forthwith reported the fact to Gen. Gaines at Augusta, and to Gen. Jackson at Nashville. The former passed it over in silence, but the latter, with his characteristic decision, sanctioned my conduct in the flattering terms of approbation with which he was pleased to notice the discharge of my duties whilst entrusted with the defence of West Florida, and of which this act constituted the most prominent feature. Even the government, to whom my order was early reported by a busy meddler, appears to have viewed my conduct with no evil eye, until it was goaded on to the measure of an arrest, by the outcry of newspaper scribblers, and the *threats*, if I am correctly informed, of two *factionous demagogues in Congress*: else why, after demanding from me a report on the subject, in March 1819, was the business permitted to slumber until the August following, more than *thirteen months* after the order had been given.

From the representations that have gone abroad in relation to this affair, it is generally believed, that my order to shoot deserters was a measure adopted without necessity, and originating solely in my tyrannical and overbearing disposition. But suppose, sir, that I had remained a passive spectator of the desertions that occurred until the force under my command had disbanded itself, as would literally have been the case but for my high handed measures, and that the Captain General of the Havanna, apprized by his agents of the state of things, had re-occupied by force the province confided to my charge; or, what would have been equally practicable, the loyal Spaniards of Florida (and there are no subjects on earth more loyal) headed by the King's officers, with which Pensacola abounded, had risen upon my garrison, and succeeded in recovering the country—Suppose I say, such a state of things to have occurred, and what, let me ask, would have been the state of public feeling towards me? Why, sir, I should have been derided and abused as an imbecile, pusillanimous wretch, for not having resorted to proper measures to prevent desertions. On the other—what if the Captain General, as he was in duty bound, without waiting for the orders of his Court, had made an attempt to recover Pensacola and the Barrancas and failed? Why, sir, the very order for which I have been reviled, execrated and trampled upon, would have been lauded to the skies as an evidence of my energy, patriotism and foresight; and instead of having my case, after it had been acted upon by the proper tribunal, dragged before a Committee of the House of Representatives, (and by the way permit me to remark, that under the constitution of my country, I neither owe nor acknowledge any accountability to Congress for my official acts,) I should perhaps have had that body voting me *thanks and medals*. Let it not be said that the Captain General was in no situation to fit out an armament competent to re-take the Barrancas; for the four vessels of war and six hundred veteran troops that re-occupied the province of West Florida, in February, 1819, would have been amply sufficient, under the command of that tried soldier, General Calava, to have destroyed me and my garrison, before succour could have reached us.

The singular excitement that my order to put deserters to death has created, would, almost lead to an opinion, that this was the first instance in any age or nation, where a military offence had been capitally punished on the responsibility of the commanding officer. But without going beyond the history of our own country to shew

the stretch of power to which a military man may, with propriety, resort, when in his opinion the interests committed to his charge shall require it, cases of the very highest authority may be cited to justify my order. In the year 1779, whilst the American army was operating on the North River, desertion prevailed to such an extent as to claim the attention of the commander in chief. Genl. Washington accordingly gave orders precisely similar to those given by me at Pensacola, viz: "*To put all deserters to death who should be overtaken in the fact*"—and Gen. Reed, a representative in Congress from Maryland, stated on the floor of the House of Representatives, in the debate on the Seminole Campaign, that he had himself, then a Lieutenant commanding an advanced post, caused a deserter, taken in the fact, to be executed on the spot, whose head he sent to the Head Quarters of the Army, where it was publickly exposed, and thus an effectual stop put to desertion. In 1781, a mutiny breaking out in the New Jersey line, the commander in chief ordered Gen. Howe to march to suppress it, and *to put to death on the spot all the ringleaders*. On those two acts of energy in Gen. Washington, perhaps, hung the destinies of an empire. I am therefore fully sensible of the vast and immeasurable difference between these cases and mine; but although no result could have occurred in Florida, to jeopardize the safety of the nation, yet her character was deeply at stake. In a state of the most profound peace between the two nations, the armies of the republic had entered the Territory of Spain, slaughtered her soldiery, degraded her flag, sent the remnants of her garrisons as prisoners of war to the Havanna, and established the authority of the Union over all the towns, and fortified places in West Florida. After this act of outrage (for however justifiable the measure may have been on the part of the American General as absolutely necessary to give peace and security to the southern frontier of the U. S. still towards Spain it was an act of outrage) the military character of the U. S. was pledged, at every hazzard, for the retention of the country, until a civil arrangement should permit its restoration; and therefore the forcible re-occupancy of Florida, by Spain, would have cast an indelible stain upon the American escutcheon. Those at least were then and still are my sentiments, and although I am not much given to *swaggering*, I may on the present occasion be pardoned for asserting, that so fully was I impressed with the importance of the trust confided to my charge, that I would have buried my body under the ruins of the Barancas, ere I would have struck

the flag of the United States to any force, no matter how overwhelming.

Falibility, sir, is the lot of man, and in giving the order in question I may have erred, but here at least I am safe from the suspicion of sinister motives; I had neither private interests to consult, nor private feelings to gratify; and was alone influenced by the purest devotion to what I conceived to be the interests of the public service.

Having demonstrated by a simple statement of facts, that my conduct under the minor charges of which I have been convicted, was irreproachable; and, believing, whatever may be the opinion of civilians on the subject, that every officer of the army, who possesses one solitary attribute of the soldier, taking into consideration the peculiar circumstances under which I acted, will pronounce my order to shoot deserters, not only justifiable, but even praiseworthy—I must beg you, sir, to bear with me a little longer, whilst I trace to its impure source the iniquitous sentence under which I labour.

The Court before which I was tried was composed of Lieutenant Col. Lindsay, President, Lt. Col. Arbuckle, Major Macey, Major Bankhead, Major Montgomery, Major M'Intosh, and brevet Major Fanning, members—Capt. Dade, supernumerary. The sentence was passed by Lt. Col. Lindsay, Lt. Col. Arbuckle, Major M'Intosh, and brevet Major Fanning—Major Macey, Major Bankhead and Major Montgomery voting my conduct uncensurable; an opinion in which the supernumerary member, Capt. Dade, who was not entitled to a vote, coincided. How I became possessed of the knowledge of these facts it is not necessary to say; but to every military man it is well known, that the votes of every member of a Court Martial, are soon as well ascertained, as if the sentence had been passed in open court. If then sir, the question of my criminality was so much a matter of doubt, that four out of eight of my judges deemed my conduct justifiable, how in the name of God can the four defend the severity of their sentence—a sentence unprecedented in the military annals of this country—and considered under the rigid discipline of the American navy, and by a Court Martial, on which the eye of the nation, at a moment when excited to madness, rested for its victim, commensurate to the loss of a frigate and the prostration of the national flag. Neither to their God, their conscience, nor their country can they justify their verdict, for they well knew it sprung from their personal feelings, and not

from the merits of the case before them. But, sir, independent of the personal feeling that influenced the majority, the opinion of three such soldiers as Majors Macey, Bankhead and Montgomery, alone—who, for strength of judgement, soundness of principle, and military experience, are inferior to none of any rank in the army, would bear me up against the judgment of a *host* of such as voted my condemnation.

That feelings of personal hostility existed towards me, on the part of the majority of the Court, is well known to every individual who attended the trial—the thing was too barefaced to escape the most superficial observer. What, sir, will you and every other honest man think of Lt. Col. Lindsay, the President of the court, when I tell you, that, forgetful of the respect due his own character—forgetful of the justice he owed the accused, and insensible to that delicacy of sentiment and regard for decorum, which prescribes, and time immemorial has been held sacred to the service, that the members of a Court Martial, whilst a trial is in a state of progress, shall have as little intercourse as possible with the parties at issue—lost I say, to all these considerations, Lt. Col. Lindsay left the quarters of Major Deakins, the commanding officer, where accommodation had been prepared for him, and went to room with my private accuser and the public prosecutor, with whom he continued to live in habits of the closest intimacy during the whole period of the trial. Here he listened to their comments, and imbibed their prejudices—nay, sir, it has been intimated to me, that he so far forgot himself as to assist them in the selection and arrangement of the evidence adduced against me—thus in a measure becoming a party in a case on which he was sitting in judgement. Lt. Col. Lindsay is a man of such invincible levity of character, as renders him a pipe for every finger that chooses to play upon—he himself admits, that he is a “*book worm*,” a “*mere monk*.”—My accuser on the other hand, is a man of unbounded shrewdness, low cunning and intrigue, who stops at no means, however vile, to effect his purpose; and that the former became a *mere puppet* in the hands of the latter is a fact that can be incontestably established. So little regard had Lt. Col. Lindsay, even for appearances, that besides becoming the frequent guest of my accuser, and having his horse fatted by him, (I blush to dwell on circumstances apparently so trivial, but it is Lt. Col. Lindsay of whom I speak, and there are men, whose opinion on any subject may be had at the price of a *bottle of Madeira and a good dinner*) he loaned himself to Mr. Hogan for the disse-

mination of his calumnies against me. Whilst the trial was still progressing, Col. Lindsay was employed in representing me as an odious tyrant; and asserted "that the subjects of no nabob of India were so much afraid of him as were the officers of the 4th Regiment of me." How absurd and unfounded was the assertion let the memorial of the Officers of the 4th Regiment, praying you to restore me to my command in the army, and signed by Lt. Col. Brooke, Major Deakins, and every other Officer of the Regt. present, who ever served under my command except them, answer.—That memorial, sir, is the best commentary I could offer on my conduct; and is as flattering to my character as it is honourable to the gentlemen who signed it. Flattering to me because those gentlemen have been for years the eye witnesses of my conduct, and had I done aught derogatory to my own character, or injurious to the public service, they would have been the very first to have arrayed themselves in hostility against me. Honourable to themselves, because notwithstanding all the intrigues of my accuser, the apparent hostility of the Government, and the popular clamour that has been excited against me, they have scorned to abandon an officer of whose incorruptible integrity and faithful devotion to the interest of the public service they were well satisfied. That my discipline has ever been the very reverse of that which Lt. Col. Lindsay has been conspicuous for in the army, I am proud to boast—his commands have ever been notorious for filth, licentiousness and insubordination—what mine have been let the standing and character of the 4th regt. on the day of my arrest answer—for discipline, subordination, economy and every other requisite, that corps stood unrivalled in the American army. I was, sir, the favourite pupil of the late Gen. Pike, and trained in the school of that consummate soldier; my discipline, I admit, has ever been of the severest cast; but tempered by so sacred a regard for justice, that, although struggling under a load of reproach and obloquy, enough to sink a navy, I have every reason to believe there is not an Officer in the 4th regiment, *except my accuser*, who would not hail with pleasure my restoration to command.

The charge that I have to adduce against Lt. Col. Arbuckle is still more tangible than that alledged against Lt. Col. Lindsay. On one or more occasions in the Seminole campaign, that gentleman and myself had come in collision, out of which had sprung up a feeling of indifference on my part, and hostility so great on his, that on his way to my trial he frankly declared, as is established by the

letter of Major Davis herewith, such was his prejudice against me, he could not take his seat at my trial, and should accordingly object to himself as a member. But, sir, instead of fulfilling this honourable intention, immediately on his arrival at Montpellier, although lame, he hobbled over to my quarters to pay his respects to me, notwithstanding I was then in arrest, and had no claim on his attention, either from my official situation or our personal intimacy. Had this visit been one of mere ceremony I should have thought the less of it; but he remained with me from sun set until 10 or 11 o'clock at night, and in a frank old soldier conversation, studiously sought to do away any suspicions I might have of his hostility.—How this gentleman could take his seat at my trial, after having admitted his prejudice, and avowed his intention to object to himself as a member of the Court, can only be understood by believing that viewing himself as the heir apparent to my commission, (which in fact he was) *his object in remaining on the Court was promotion*; an object I understand he would have attained had his first vote to dismiss me the service, prevailed. Had Lt. Col. Arbuckle pursued the honourable course, which his conscience dictated when he left Fort Hawkins, and objected to himself, Capt. Dade would have been entitled to a vote as a member, when truth and honor would have prevailed over baseness and intrigue; and I should have been acquitted with honor; or to use the language of a member of the Court I should have “*come off elegantly*.” Thus, sir, a character earned by a life spent in the public service and thrice sealed with my blood, fell a sacrifice to the *personal antipathy and personal interest* of a man who had made up and expressed his opinion in my case weeks before my trial came on; and at a distance of three hundred miles from where the Court was held. The prejudices of this gentleman, however, were his own, and the neutrality he preserved during the trial, so strongly contrasted with the conduct of the President of the Court and others, that I am, for the present, willing to leave him to his conscience to account for the singular injury he has done me.

By flattering his overweening vanity and listening with seeming pleasure to his peurile egotistical accounts of the wonders he saw in Europe, my accuser gained over the mind of Major Fanning a degree of influence only second to that obtained over Lieutenant Col. Lindsay—Whilst, unfortunately for me, a certain pride of feeling that has governed my conduct through life, and which I would not sacrifice to save my commission, gave it seems much offence to

this weak minded young man. As for Major M'Intosh, who made up the majority, he was in a state of greater or less intoxication from the time the Court opened until it closed. On one occasion he was so beastly drunk and outrageously ungovernable, that it became necessary to bind him hand and foot, and in that ignominious state he was thrown into his bunk to sober. The opinion of any man so lost to himself and to society, is of too little moment to require to be accounted for, and it is only to be regretted that the President of the Court, so far neglected his duty, as to permit him to retain his seat after his mind had been destroyed by the effects of his intemperance.

In speaking of Lt. Col. Lindsay, respect for the high personage I am addressing, has alone prevented the application of such terms as his unworthy conduct has subjected him to.—As for my accuser, himself, his motives, and his conduct, like his character, his manners and his principles are objects of such ineffable contempt, that I should feel self-degradation in calling them to your consideration. Before I close this communication, suffer me to call your attention to the injustice that was done me in the selection of the Court before which I was arraigned. The law says “No General Court Martial shall consist of less than thirteen members, where that number can be convened without manifest injury to the service.” And again, “no officer shall be tried by officers of inferior rank if it can be avoided.” Yet, without regard to my rank, my length of service, the obligations of the law, or the magnitude of the questions to be decided; I was brought before a Court of seven members and composed exclusively of officers, not only my junior in rank, but inferior in grade. What renders this circumstance the more important, is, that three out of the four of the officers who voted the sentence, had the mortification, during the late war with Great Britain, to see me promoted over their heads: two of them (Lt. Cols. Lindsay and Arbuckle) were field officers, whilst I was yet a lieutenant. But, sir, although my promotion was rapid beyond my hopes and equal to my wishes, it was the reward of services performed in the presence of the enemy, and not obtained by personal intrigues or “*friends at Washington*”—for the former I have no talent, and the latter I never possessed. Another objection to the Court is, that it was illegally constituted—for by reference to the orders creating it, you will find that Lt. Col. Lindsay was never authorized to officiate as President; General Bissell, and the

Officer next in rank on the detail, Col. McRea, were the only persons competent to hold its sessions.

It may be asked why at this late hour I mention these facts, and failed to urge them at the moment of trial? Because, sir, after a service of more than eleven years, I was for the first time in a state of arrest, and proudly conscious of the rectitude of my conduct, and believing that every act of my military life would stand the test of the severest scrutiny; all I sought was a speedy investigation; and fearless of the result would as cheerfully have met the charges before a Court of five ensigns, as of thirteen General Officers. Dearly, however, have I paid for my temerity—and although I mention those facts as entitled to your consideration, yet, having neglected to urge my claims at a the proper time, I will not press them upon you.

When the character of a military man is barely suspected, much less implicated to the extent that mine has been, every effort for the establishment of its purity, is not only justifiable, but praiseworthy. I shall therefore offer you no apology for the length of this communication, and in addressing you on this subject, I beg you distinctly to understand, that it is not your *clemency* I wish to excite—*Justice* at your hands is all I seek—and if after a careful reconsideration of my case, you shall still be of opinion that the sentence under which I labour is merited, why in the name of God, let it take its course—and abandon forever all further thoughts of my profession—with a conscience pure as the new fallen dews of Heaven, and the proud satisfaction of knowing that I have deserved other treatment from my country, I will retire to the walks of private life.

I have the honour to be,

With great respect, sir,

Yr. most obedient servt.

WILLIAM KING.

Montpellier, June 15, 1820.

TO JAMES MONROE,

PRESIDENT OF THE UNITED STATES.

SIR,

SINCE I did myself the honor to address you under date of the 1st inst. I have received a copy of the report made to the House of Representatives of the proceedings of the General Court Martial held in my case, and other documents connected therewith;

and in the public journals I have seen the resolution submitted to the House by Mr. Cocke, as chairman of the Committee to which those papers were referred, praying you to dismiss me the service of the U. States.

It was, sir, with mingled sensations of astonishment, indignation and contempt, I read the resolution introduced by the chairman of the committee; for although I had been informed that my accuser had declared "he would have my case brought before Congress," I could never, for a moment, permit myself to believe, that any member of that body, would so far forget the respect due the high station with which he had been honored, as to become the *catspaw* of Mr. Hogan, and lend his weight of office to the oppression of an individual: much less did I suppose a committee could have been selected from the national legislature, so profoundly ignorant of the bounds which the Constitution had set to their authority, and so regardless of the sacred provision which that instrument contains, that "no man shall be twice tried for the same offence," as to report my case to the House as a fit subject for legislative interference, after I had already accounted to the only tribunal competent, under the laws of my country, to investigate my conduct.—Bred exclusively to arms, I am not qualified, sir, to enter into an argument to do justice to the absurdity of the position assumed by the committee of which Mr. Cocke was chairman, and therefore shall not attempt it. But believing as I do, that an officer of the American army is accountable to his military superiors and the executive, alone, for his official acts, I can only view the proceedings of Mr. Cocke's committee, as a violent usurpation of authority, and an infraction of the constitution and laws of the U. S. more gross, more dangerous, and less justifiable, than the very measure at which those proceedings were aimed. And denying all right on the part of the House of Representatives, to investigate my official conduct, I shall treat any measures which that body may hereafter think proper to adopt, under the resolution submitted by Mr. Cocke, with the same indifference that I would the like measures on the part of the new Cortes of Spain.

In the report made to the House of Representatives, in relation to my trial, is the copy of a letter from Major Gen. Jackson to the Secretary at war, bearing date 28th Dec. 1819, in which the genl. declares he did not know of my order to shoot deserters, until a short time previous to my arrest. Having, on more than one occasion asserted, that I had reported my order on the subject to General

Jackson soon after it was given, it becomes my duty to establish the fact. I have therefore written to the General, calling his attention to a letter addressed by me to his Adjutant General, some time in August, 1818, (the copy in my possession is without date,) which contains the following report—“ *The desertions from this post have exceeded any thing of the kind I ever before witnessed. Men go off in squads with their arms in their hands. As the only means of putting a stop to this infamous and destructive habit, I have given orders to the parties sent in pursuit to shoot deserters, wherever overtaken within the Province; and I trust a few examples will effectually check the practice.*” On a reference to this letter, I make no doubt Genl. Jackson will hasten to do away any unfavourable impression which his contradiction of my assertion may have created.

Another subject contained in the report made by the Department to the House of Representatives claims my notice. It is a remark by Gen. Parker, Adj. and Inspec. General, in the following words, referring to his letter of the 31st of October, 1817, produced as evidence at my trial, to shew that it was with the knowledge and sanction of the Department, that I brought out my family and slaves in the public transport, viz: “ *Whilst in Washington some short time previous to my writing the note, Col. King had, in casual conversation informed me, he was cultivating a plantation on the Alabama, where he was about sending many slaves which would require his personal attention. I did not hear when or how they were to be sent. I certainly did not suppose they were going with the troops; but understood from him that his wife and children were going with him in the public vessel: an indulgence always allowed in transporting troops in that way.*” In asserting that he “ *did not know when nor how my slaves were going—and certainly did not suppose they were going with the troops,*” Gen. Parker, I am sorry, sir, to be constrained to use such language when addressing the President of the U. S. has told a *cool, wilful and deliberate falsehood*. With Gen. Parker, at the time in question, I was in the habits of considerable intimacy; and he well knew, not from casual remarks, but from frequent and detailed conversations on the subject, that my business in Maryland was to remove to this country my family and slaves. Whilst employed in making arrangements for this purpose, I was ordered to Washington as the President of the General Court Martial convened for the trial of the late Lt. Col. Wharton, of the marine corps. About the time the

Court was breaking up, I was advised by Capt. Hook, of his success in raising recruits for the 4th Regt.—this information I communicated to the Adj. and In. Gen. and at the same time, remarked to him, that as I was about to repair to this country with my family and slaves, I should like to get an order to bring on the recruits with me, as without increasing to the U. S. the expense of their transportation, or in the least incommoding the troops, it would be a matter of great accommodation to me to come out in the vessel, and the presence of the soldiery would afford protection for my family and slaves against the piratic cruisers with which the Gulph of Mexico was at that time greatly infested. To this Genl. Parker readily assented; and said that he would propose the arrangement suggested by me, to the acting Secretary at War. When I was about to leave Washington, General Parker gave me an order to charter a vessel for Mobile, and bring with me, to this post, all the recruits of the 4th Reg. then at Baltimore. On this occasion he again understood explicitly and distinctly, that my sole inducement for encumbering myself with the troops was the individual accommodation I was to receive from the privilege of bringing with me my family and hands, and the protection which the soldiery would afford to my property on the voyage.

The general admits that I was authorised to bring my family in the transport, but says he never supposed my slaves were going in the same vessel with the troops. Why then, sir, in his letter of the 3rd Oct. 1817, advising me that the destination of the detachment had been changed for St. Mary's, after informing me that Mr. Graham will permit me to accompany my family to the Alabama, does he add which "he hopes will accommodate my views in relation to my private affairs and my black troops?" If the Gen. had not well known that my *black troops* were going in the transport with the U. S. white troops, it is hardly to be supposed he would have alluded to them in his letter.

General Parker has always well known, that neither nature nor nature's God had ever intended him for a soldier, and that there was a strong disposition throughout the service to protest against his transplantation from a *clerk's stool* in the War Department to the first office of dignity and responsibility, after that of Major General, known to the army of the U. S. The good will therefore of an officer of my standing and influence in the army, was a matter which he deemed of much importance, and he would have sought to secure it at the price of a much greater favour, than the mere per-

mission to remove a few hands in a public transport, when it could be done without expense to the Government, or inconvenience to the troops. Since the publication of the sentence of my Court, the Gen. has deemed me prostrate; and with what facility he can change sides with fortune, you, sir, had ocular demonstration when you took charge of the War Department in 1814; and again—more recently, in his conduct towards the "*Committee of Cadets*," whose "*jackets*" he was disposed to "*trim*," until he learned that Mr. Secretary Crawford was their friend, and then *cap in hand* he was ready to present their memorial to the Secretary at war. In fancying that I was to be trampled upon with impunity, or that the distance between the Alabama and the seat of Government was so great as to afford him protection, the General will find himself sorely mistaken; for *anon* I will be at Washington, when I will make it my business to refresh his memory in relation to my "*black troops*," and teach him to feel, that "*Achilles absent was Achilles still*."

I have the honor to be, sir,

Most respectfully,

Your obedient servant,

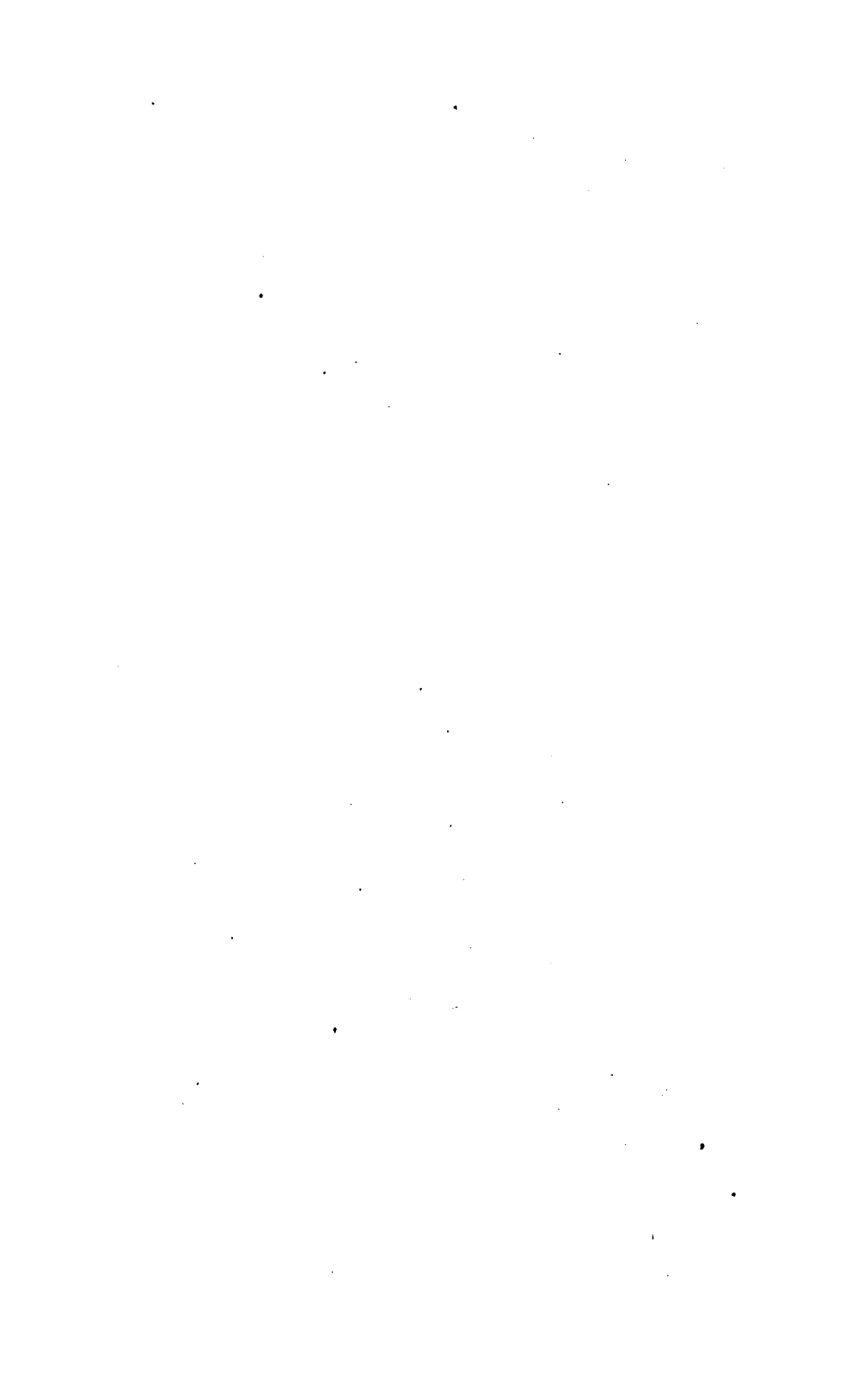
WILLIAM KING.

ERRATUM.

For Major "Macey" read Many.





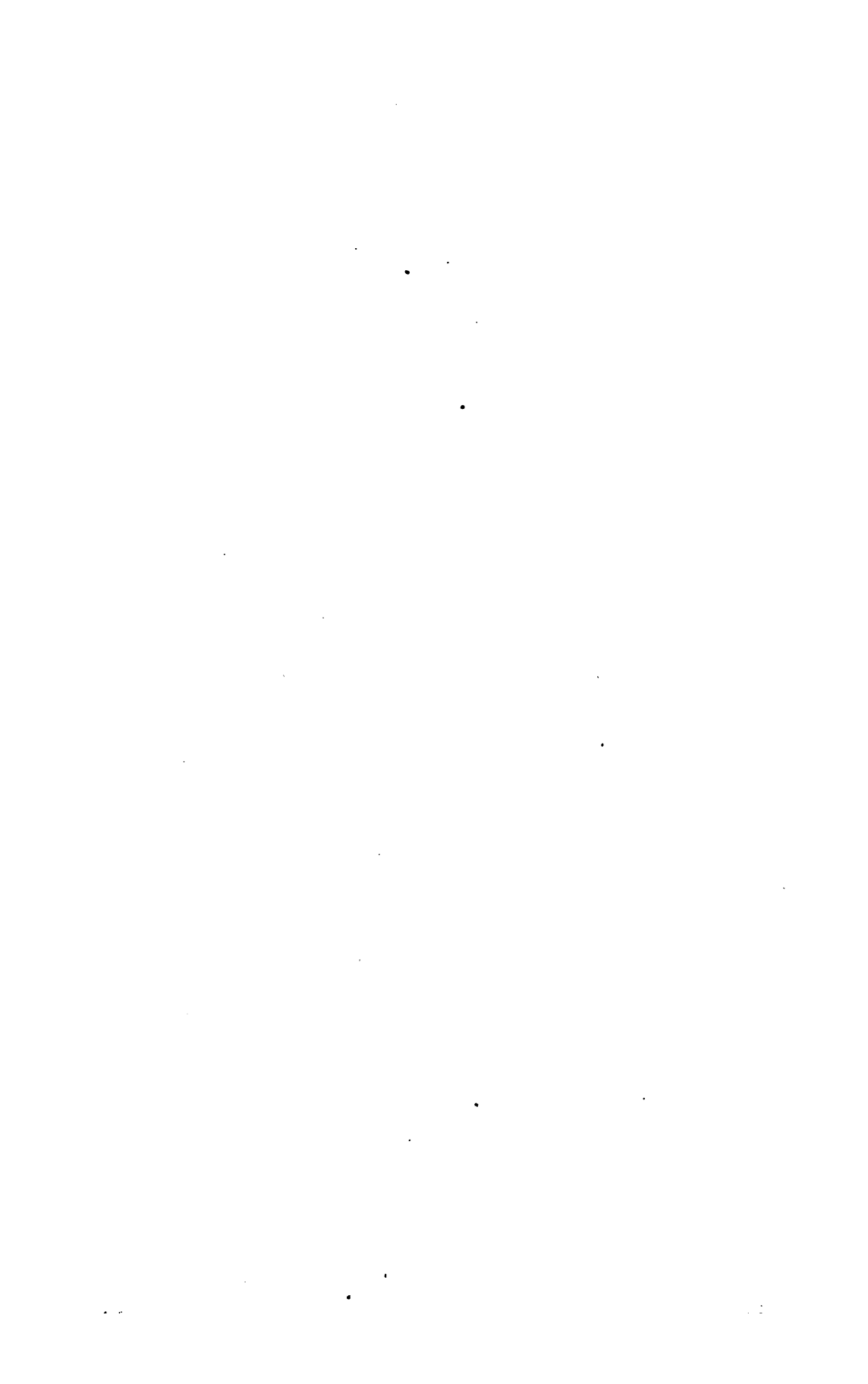


















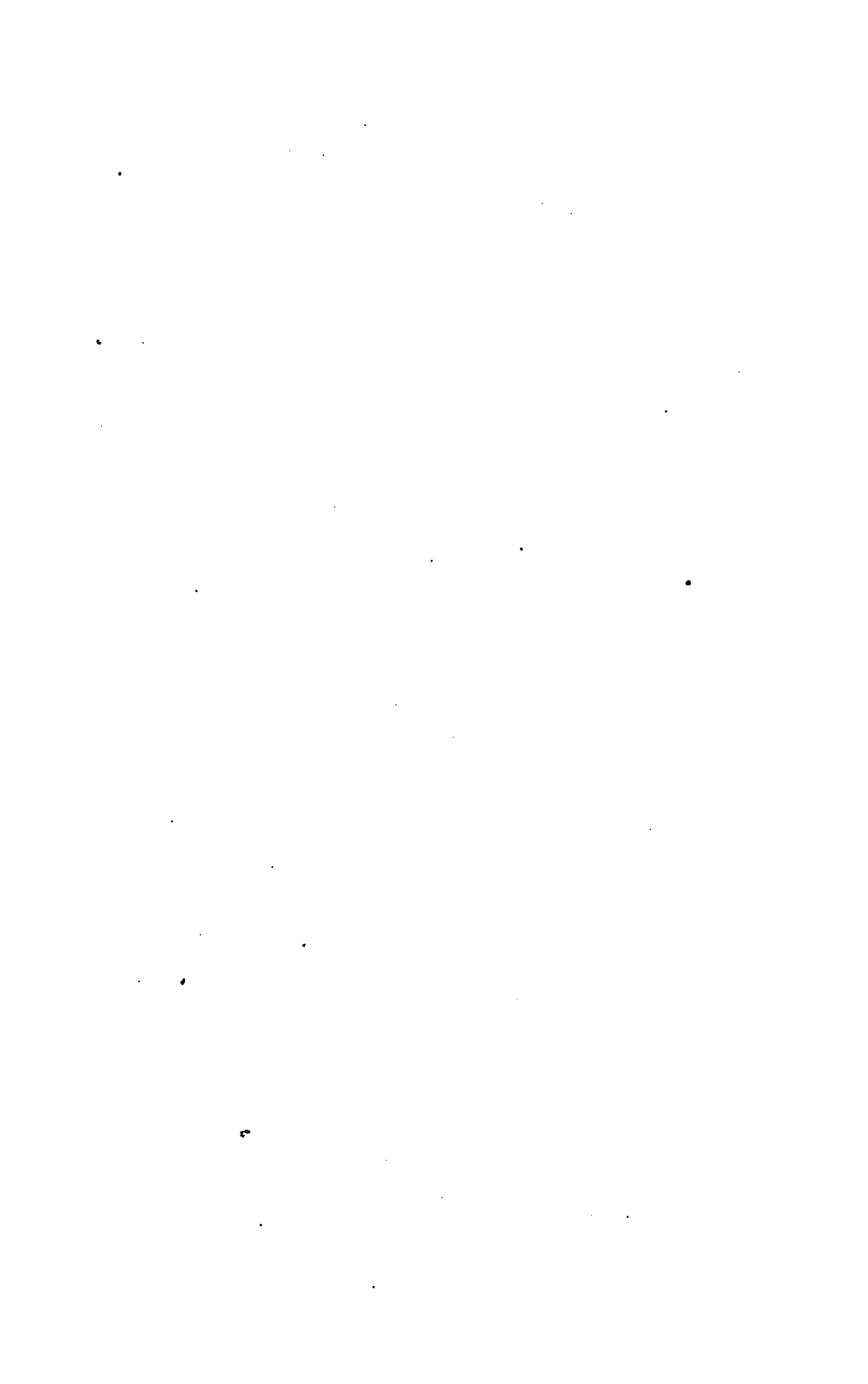






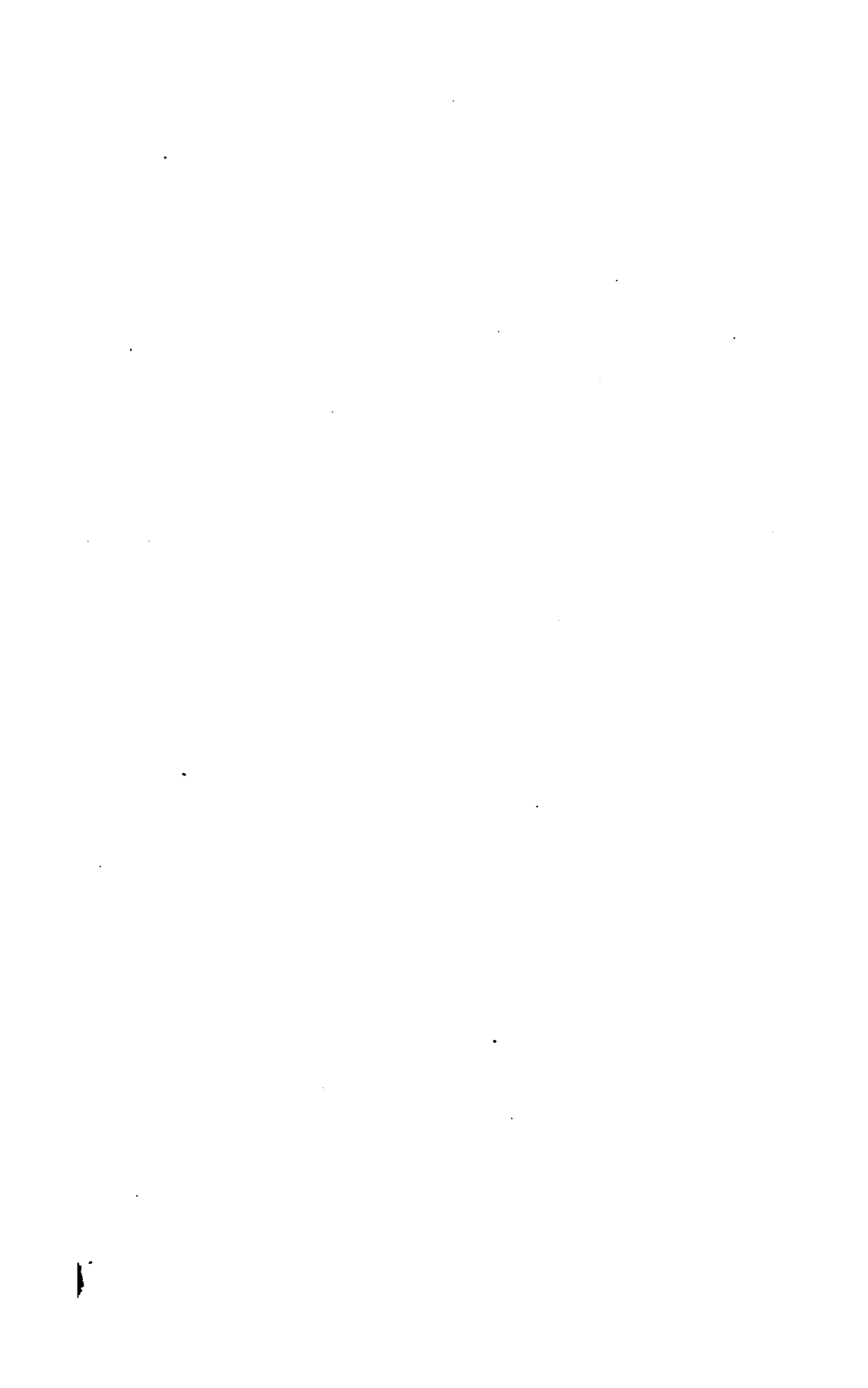
















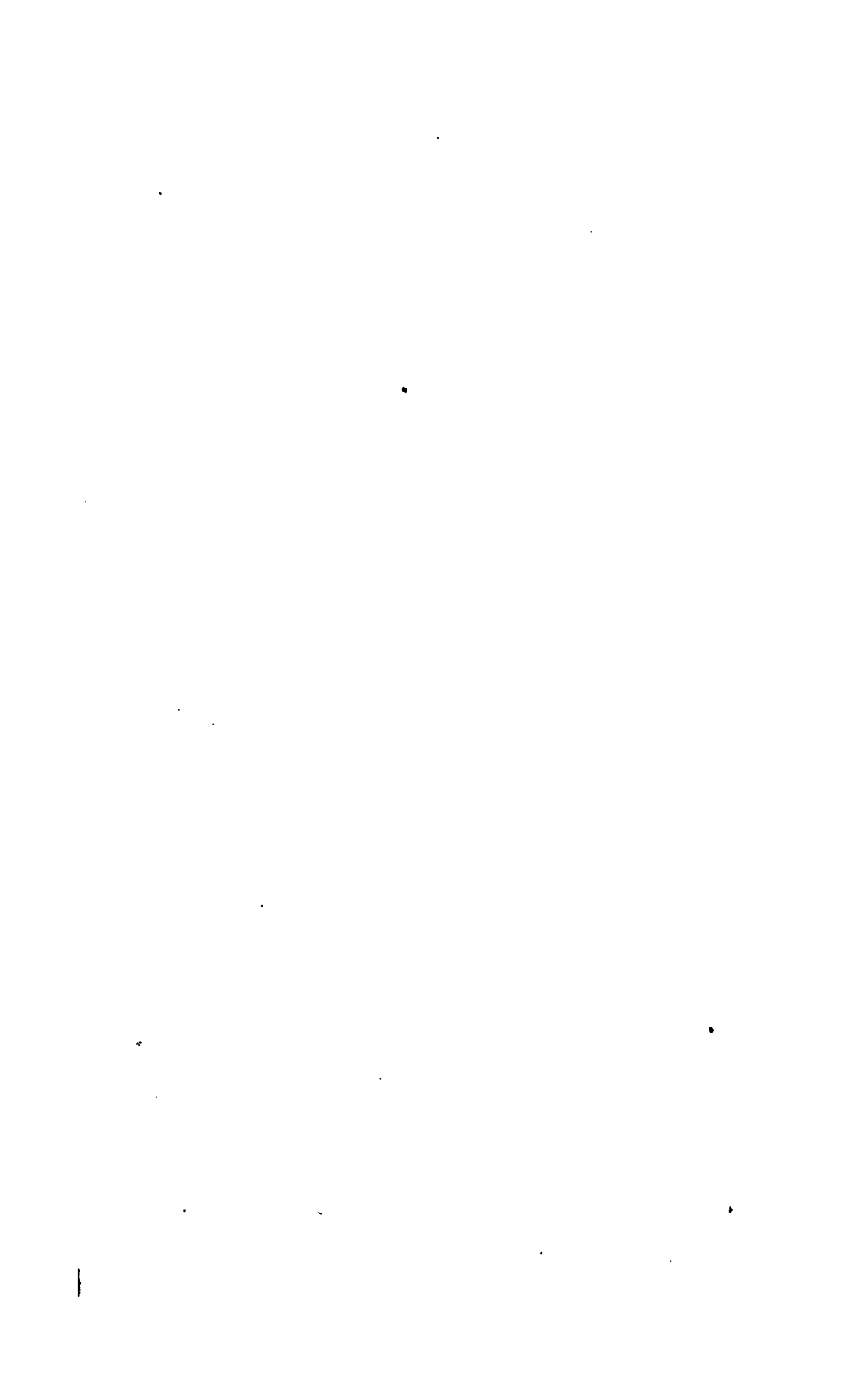










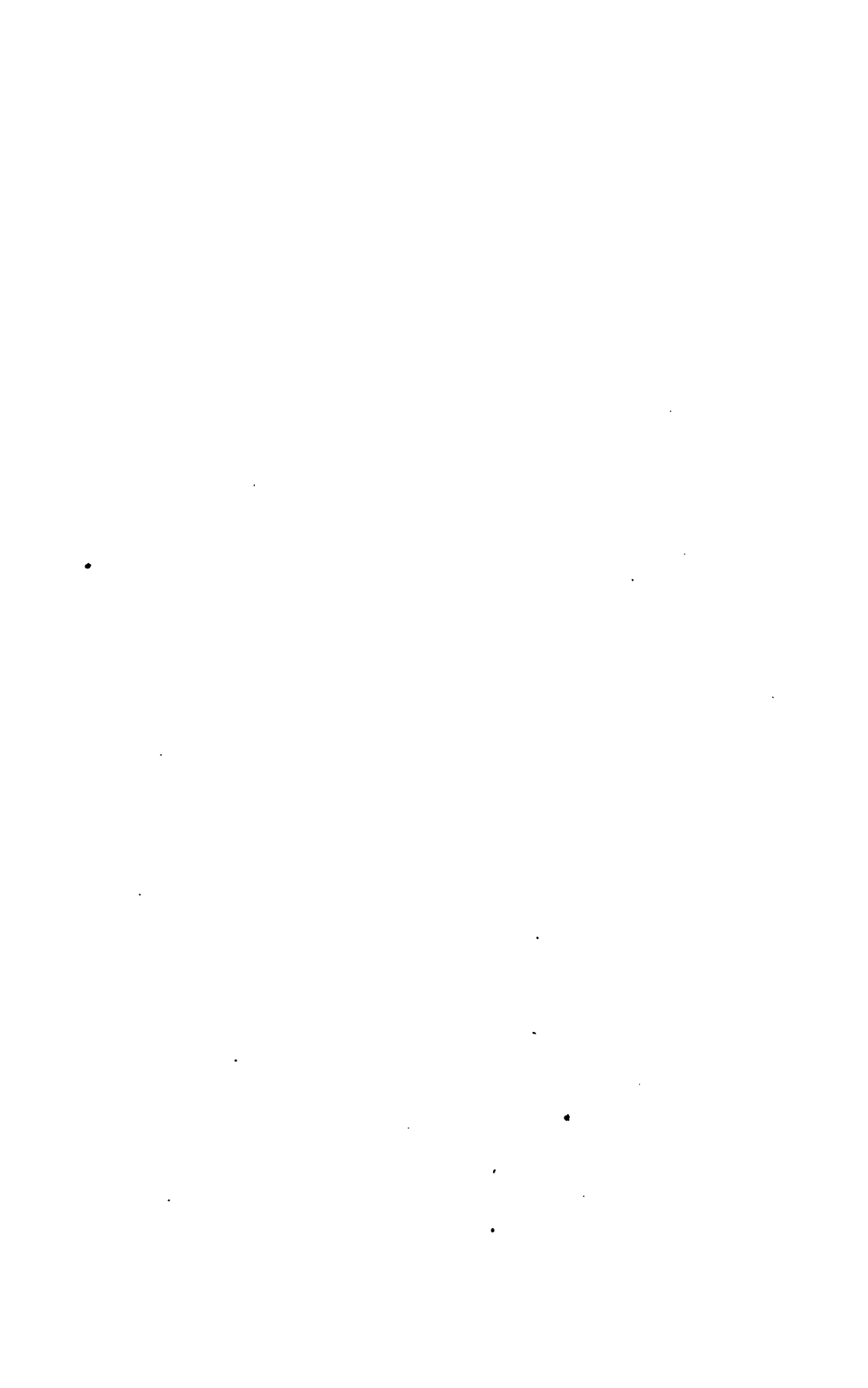




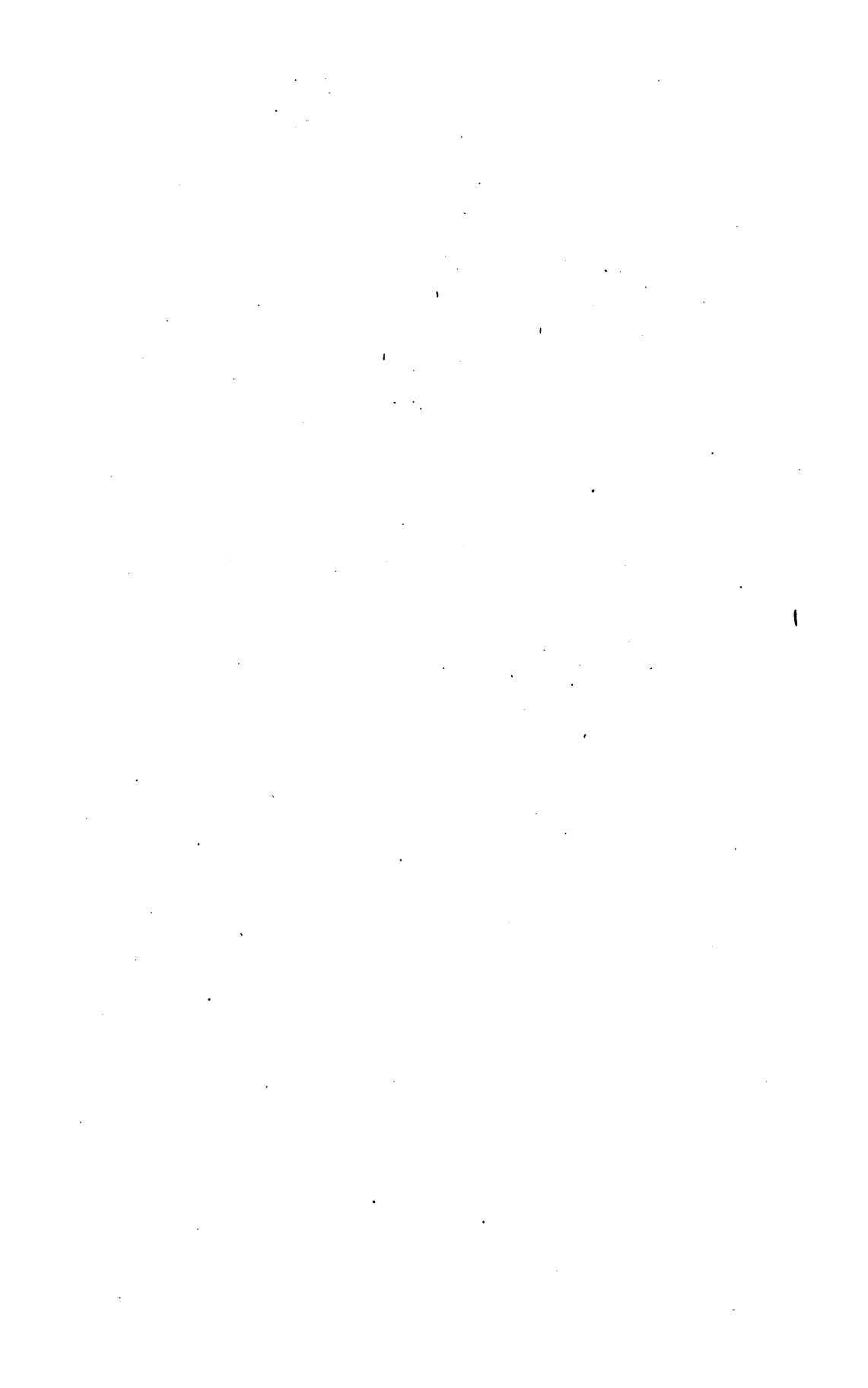




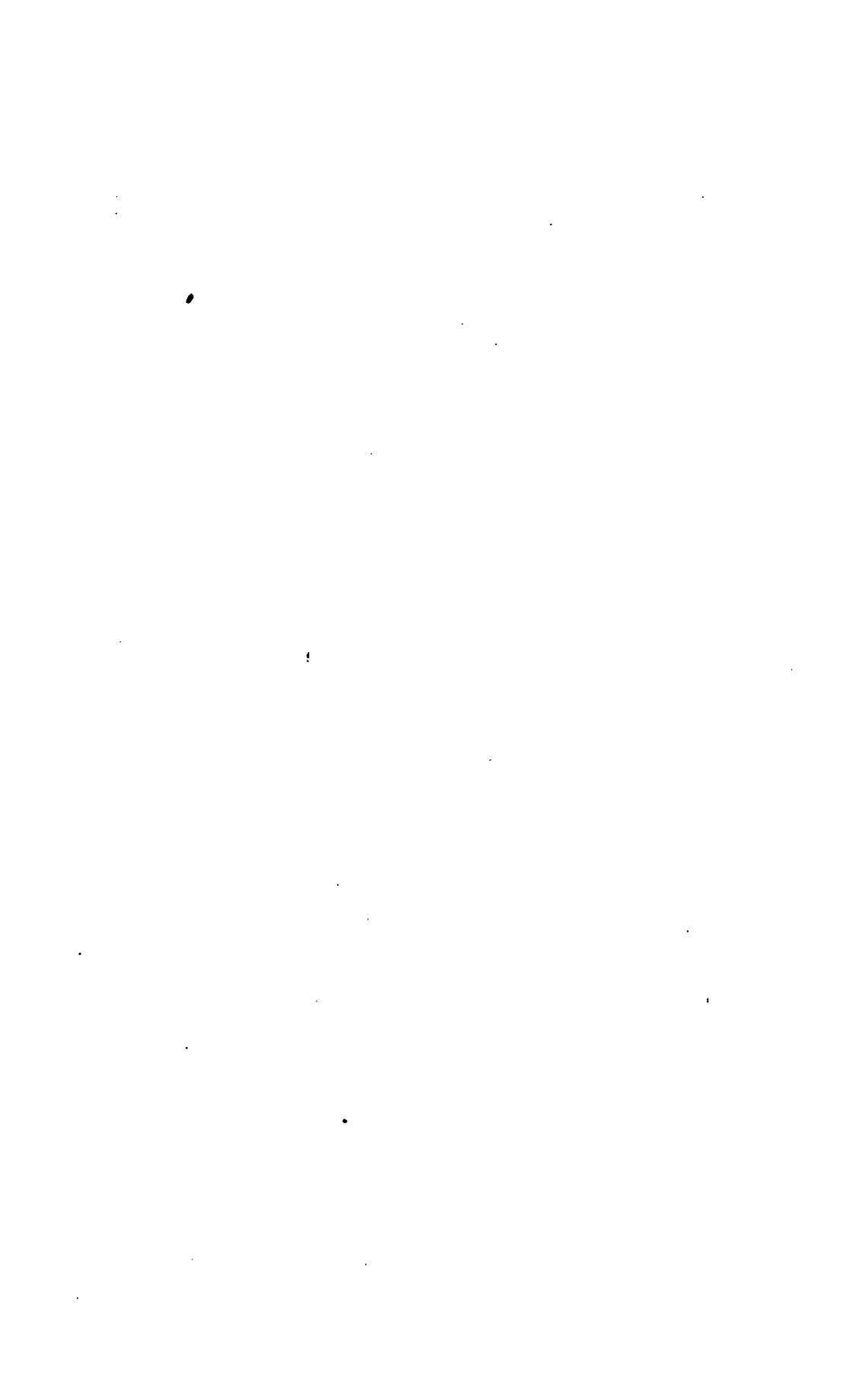




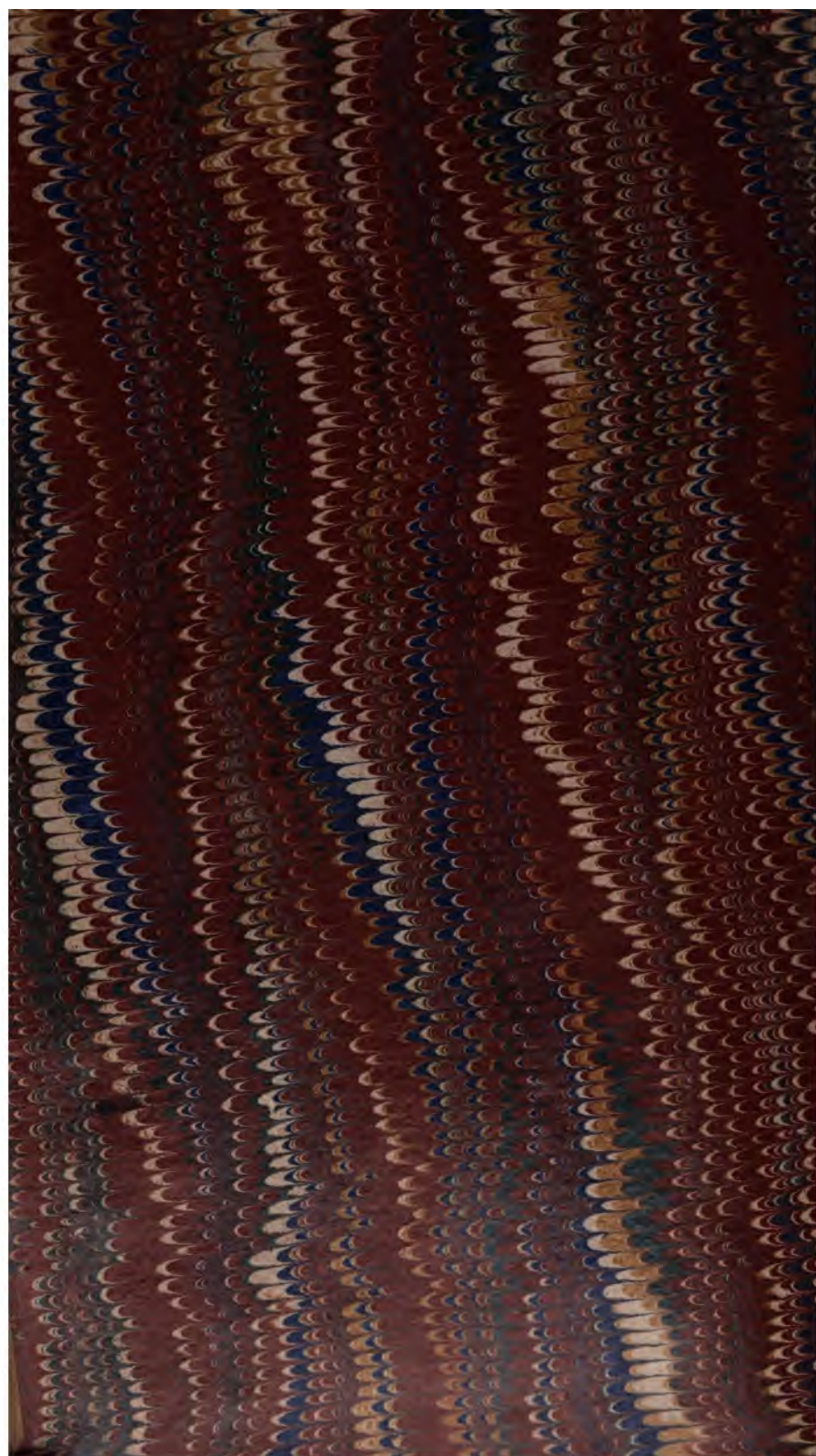












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